

## APPENDIX

## Reports of Committees on Engrossed and Enrolled Bills

Austin, Texas,  
May 31, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 69 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,  
May 31, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 482 carefully examined, compared and read, and find same correctly engrossed.

LANNING, Chairman.

Austin, Texas,  
May 31, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 58 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

## EIGHTIETH DAY

(Friday, June 2, 1939)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by President Stevenson.

The roll was called, and the following Senators were present:

Aikin	Lemens
Beck	Martin
Brownlee	Metcalf
Burns	Moffett
Collie	Moore
Cotten	Nelson
Graves	Pace
Head	Roberts
Hill	Shivers
Isbell	Small
Kelley	Spears
Lanning	

Stone	Sulak
of Galveston	Van Zandt
Stone	Weinert
of Washington	Winfield

Absent—Excused

Hardin	Redditt
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A quorum was announced present.

The invocation was offered by the Chaplain.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

## Leaves of Absence Granted

Senator Hardin was granted leave of absence for today on account of important business, on motion of Senator Cotten.

Senator Redditt was granted leave of absence for today on account of illness, on motion of Senator Pace.

## Senate Bill on First Reading

Senator Spears moved that the legislative rule relative to the introduction of bills after the first 60 days of the Regular Session of the Legislature be suspended to permit his introducing a general bill at this time.

The motion prevailed by the following vote:

Yeas—25

Aikin	Nelson
Beck	Pace
Brownlee	Roberts
Burns	Shivers
Collie	Small
Cotten	Spears
Hill	Stone
Isbell	of Galveston
Lanning	Stone
Lemens	of Washington
Martin	Sulak
Metcalf	Weinert
Moffett	Winfield
Moore	

Absent

Graves	Kelley
Head	Van Zandt

Absent—Excused

Hardin	Redditt
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The following bill then was introduced, read first time, and referred to the committee indicated:

By Senator Spears:

S. B. No. 486, A bill to be entitled "An Act making an appropriation for the use of the San Antonio River Canal and Conservancy District, providing that it shall be repaid to the State of Texas; and declaring an emergency.

Referred to Committee on Finance.

**Report of Conference Committee on  
Senate Joint Resolution 6**

Senator Moore submitted at this time the following report of the conference committee on S. J. R. No. 6:

Austin, Texas,  
April 10, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on Senate Joint Resolution No. 6, have had the same under consideration and we recommend to the Senate and to the House of Representatives that such resolution pass in the form attached hereto.

Respectfully submitted,

MOORE,  
WINFIELD,  
SHIVERS,  
PACE,  
WEINERT,

On the part of the Senate.

HEFLIN,  
MONKHOUSE,  
LITTLE,  
GORDON,  
KEITH,

On the part of the House.

By Moore.

S. J. R. No. 6.

**A JOINT RESOLUTION**

Proposing an amendment to the Constitution of the State of Texas amending Section 26 of the State of Texas amending Section 26 of Article IV so as to provide that notaries public be appointed by the Secretary of State of the State of Texas;

providing for the submission of this amendment to the voters of this State; and providing for the necessary appropriation to defray necessary expenses for the submission of this amendment.

Be it resolved by the Legislature of the State of Texas:

Section 1. That Section 26 of Article IV of the Constitution of the State of Texas be amended so that the same will hereafter read as follows:

"Section 26.

(a) The Secretary of State shall appoint a convenient number of notaries public for each county who shall perform such duties as now are or may be prescribed by law. The qualifications of notaries public shall be prescribed by law.

(b) Nothing herein shall affect the terms of office of notaries public who have qualified for the present term prior to the taking effect of this amendment.

(c) Should the Legislature enact an enabling law hereto in anticipation of the adoption of this amendment, such law shall not be invalid by reason of its anticipatory character."

Sec. 2. The foregoing Constitutional Amendment shall be submitted to the qualified voters of the State of Texas at a special election to be held on the 5th day of November, 1940, at which election all voters favoring such proposed amendment shall write or have printed on their ballots the words:

"For amendment to the Constitution of the State of Texas providing that notaries public be appointed by the Secretary of State of the State of Texas."

and those opposed shall write or have printed on their ballots the words:

"Against amendment to the Constitution of the State of Texas providing that notaries public be appointed by the Secretary of State of the State of Texas."

Sec. 3. The Governor of the State is hereby directed to issue the necessary proclamation for said election and have the same published as required by the Constitution and existing laws of the State.

Sec. 4. The sum of Ten Thousand (\$10,000.00) Dollars or so much thereof as may be necessary is hereby appropriated out of any funds in

the Treasury of the State not otherwise appropriated to pay the expenses of said publication and election.

Question—Shall the report be adopted?

The report was adopted by the following vote:

Yeas—27

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Weinert
Metcalfe	Winfield
Moffett	

Absent

Head Van Zandt

Absent—Excused

Hardin Redditt

#### Conference Committee on Senate Bill 240

Senator Brownlee called S. B. No. 240 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the House amendments before the Senate.

Question—Shall the Senate concur in the House amendments?

Senator Brownlee moved that the Senate do not concur in the House amendments and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

Accordingly, the President appointed the following conferees on the bill on the part of the Senate: Senators Brownlee, Martin, Kelley, Winfield and Burns.

#### Report of Conference Committee on House Bill 1018

Senator Hill submitted the following report of the Conference Committee on H. B. No. 1018:

Austin, Texas,  
June 2, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the House and the Senate on H. B. No. 1018, have met and beg leave to recommend that said H. B. No. 1018 be passed in the form attached hereto.

Respectfully submitted,

HILL,  
COTTEN,  
BURNS,  
BECK,  
LANNING,

On the part of the House.

WOOD,  
HARPER,  
TENNANT,  
ALSUP,  
BRAY,

On the part of the Senate.

H. B. No. 1018.

#### A BILL

#### TO BE ENTITLED

An Act declaring the legislative policy; designating the waters of Caddo Lake in Marion and Harrison Counties as a part of the public fresh waters of this State and suited for the preservation, protection and propagation of game and fish; regulating and restricting the operation and use of motor boats and water craft on said Caddo Lake; regulating and prohibiting the use and discharge of firearms on said Caddo Lake; making it a misdemeanor and providing a penalty for a violation of certain provisions of the Act; providing certain exemptions from the provisions of the Act; prescribing the powers and duties of peace officers and game wardens in the enforcement of the Act; limiting the provisions of the Act to Marion and Harrison Counties only, and fixing venue of prosecution under this Act in either of said Counties; providing a savings clause; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. Declaration of Legislative Policy. The waters of Caddo Lake, in, upon or along the Counties

of Marion and Harrison, are hereby declared to be a part of the public fresh waters of this State, suited and adapted to the preservation, protection and propagation of game and fish, and this Act is to be construed as in aid of, and for the purpose of aiding in, such preservation, protection and propagation of game and fish in this State.

Sec. 2. It shall be unlawful for any person to drive, operate, ride or be a passenger in any boat, vessel or water craft on said Caddo Lake while under the influence of intoxicating liquor.

Sec. 3. It shall be unlawful for any person to drive or to operate any motor boat or self-propelled water craft of any kind upon said Caddo Lake, in a reckless or careless manner, or at a high and dangerous rate of speed. The term "reckless manner" shall, in addition to its ordinary significance and meaning, include the operation of a motor boat or other boat whether propelled by motor or hand or otherwise, so as to interfere with the free and proper use of the waters of said Caddo Lake by other water craft or so as to endanger the life or safety of any person in or upon said waters.

Sec. 4. It shall be unlawful for any person to shoot, fire, or discharge any pistol or rifle in, on, along or across said Caddo Lake.

Sec. 5. The provisions of Section 4 shall not apply to peace officers, game wardens, or representatives of the Game, Fish and Oyster Commission, in the lawful discharge of their official duties, nor shall same be construed to prevent a person hunting with a shot gun during any open season or when it is lawful to hunt in or upon said Caddo Lake.

Sec. 6. Any person violating any of the provisions of this Act shall be deemed guilty of a misdemeanor, and, upon conviction, shall be punished by a fine of not less than \$10.00 nor more than \$200.00.

Sec. 7. It shall be the duty of the game wardens and all peace officers to inspect boats or other water craft upon all the waters affected by this Act and to enforce the provisions of this Act; said game wardens and other peace officers may make such inspections without warrant, nor shall any warrant be required for the arrest of any person who violates any of the provisions of this Act, done in the presence of such officers or wardens.

Sec. 8. If any section, subsection or clause, phrase or sentence of this Act is for any reason held to be unconstitutional, such unconstitutionality shall have no effect on the validity of the remaining portions of this Act, and it is hereby declared that this Act shall nevertheless have been passed without such section, subsection, clause or phrase so declared unconstitutional.

Sec. 9. The provisions of this Act are expressly limited and applicable only to Marion and Harrison Counties, and the venue for prosecutions for the violation of any of the provisions hereof is fixed in said counties, and prosecutions may be brought and maintained in either of said counties without reference to the county in which the offense was actually committed.

Sec. 10. The fact that there is now no law which covers the provisions of this Act creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and same is hereby suspended, and this Act shall take effect and shall be in force from and after its passage, and it is so enacted.

Question—Shall the report be adopted?

The report was adopted by the following vote:

Yeas—22

Aikin	Metcalfe
Beck	Moffett
Brownlee	Nelson
Burns	Pace
Cotten	Roberts
Graves	Small
Head	Spears
Hill	Stone
Isbell	of Washington
Lanning	Sulak
Lemens	Weinert
Martin	

Nays—3

Collie	Shivers
Moore	

Present—Not Voting

Stone	Winfield
of Galveston	

Absent

Kelley	Van Zandt
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Absent—Excused

Hardin	Redditt
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**House Concurrent Resolution 160**

By unanimous consent, the following resolution, previously received from the House, was laid before the Senate for consideration at this time:

H. C. R. No. 160, Authorizing Ross Brothers and Cook Brothers to sue the State of Texas.

The resolution was read and was adopted.

**Senate Bill 455 with House Amendments**

Senator Weinert called S. B. No. 455 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the House amendments before the Senate.

Question—Shall the Senate concur in the House amendments?

The Senate concurred in the House amendments by the following vote:

Yeas—27

Aikin	Moffett
Beck	Nelson
Brownlee	Pace
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Weinert
Martin	Winfield
Metcalf	

Nays—1

Moore

Absent

Van Zandt

Absent—Excused

Hardin

Redditt

**Senate Bill 454 with House Amendments**

Senator Weinert called S. B. No. 454 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the House amendments before the Senate.

Question—Shall the Senate concur in the House amendments?

The Senate concurred in the House amendments by the following vote:

Yeas—28

Aikin	Moffett
Beck	Moore
Brownlee	Nelson
Burns	Pace
Collie	Roberts
Cotten	Shivers
Graves	Small
Head	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Weinert
Metcalf	Winfield

Absent

Van Zandt

Absent—Excused

Hardin

Redditt

**Request Granted for Conference Committee on House Bill 72**

Senator Lemens called up from the President's table, for consideration at this time, the request of the House for a Conference Committee on H. B. No. 72.

Senator Lemens moved that the request of the House be granted.

The motion prevailed.

**Senate Bill 11 with House Amendments**

Senator Moffett called S. B. No. 11 from the President's table, for consideration of the House amendments to the bill.

The President laid the bill and the House amendments before the Senate.

Question—Shall the Senate concur in the House amendments?

Senator Winfield moved that the Senate do not concur in the House amendments and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

Accordingly, the President appointed the following conferees on the bill

on the part of the Senate: Senators Moffett, Winfield, Beck, Burns and Kelley.

**Senate Bill 462 with House Amendments**

Senator Van Zandt called S. B. No. 28 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the House amendments before the Senate.

Question—Shall the Senate concur in the House amendments?

The Senate concurred in the House amendments by the following vote:

**Yeas—29**

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

**Absent—Excused**

Hardin                      Redditt

**Senate Bill 393 with House Amendments**

Senator Graves called S. B. No. 393 from the President's table, for consideration of the House amendments to the bill.

The President laid the bill and the House amendments before the Senate.

Question—Shall the Senate concur in the House amendments?

The Senate concurred in the House amendments by the following vote:

**Yeas—21**

Aikin	Kelley
Brownlee	Lanning
Burns	Martin
Graves	Metcalf
Hill	Moffett
Isbell	Nelson

Pace	Stone
Roberts	of Washington
Small	Sulak
Spears	Van Zandt
Stone	Weinert
of Galveston	

**Nays—3**

Beck                      Moore  
Cotten

**Absent**

Collie	Shivers
Head	Winfield
Lemens	

**Absent—Excused**

Hardin                      Redditt

**Senate Bill on First Reading**

Senator Hill moved that the legislative rule relative to the introduction of bills after the first 60 days of the Regular Session of the Legislature be suspended to permit his introducing a general bill at this time.

The motion prevailed by the following vote:

**Yeas—28**

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

**Absent—Excused**

Hardin                      Redditt

The following bill then was introduced, read first time, and referred to the committee indicated:

By Senator Hill:

S. B. No. 487, A bill to be entitled "An Act to validate, ratify, approve, confirm and declare enforceable, all levies and assessments of ad valorem taxes heretofore made by incorporated cities and towns in the State of Texas because the same were made

and adopted by resolution, motion, or other informal action, and because of the failure of the governing body of such city and town to appoint the proper and statutory Board of Equalization; and which are insufficient and voidable, or unenforceable on account of technical irregularities in the manner of preparing the books and reports of assessors assessing such property; and all equalizations of said valuations of such property for taxation purposes made by the Board of Equalization acting for any such city or town, which are irregular or insufficient because the reports of such equalizations were adopted and accepted orally, or by other informal action; and the acts of making such equalizations were made orally or by other informal action; or in incomplete form; and because of the failure of the governing body or any officer of such city or town to prepare, have public hearings on, and file a budget; and providing further that this Act shall apply only to those incorporated cities and towns in this State having a population of not less than fifteen hundred forty (1,540) and not more than fifteen hundred fifty (1,550) according to the last preceding Federal Census; providing this Act shall not affect suits pending at the time same becomes effective; and declaring an emergency."

Referred to Committee on Towns and City Corporations.

#### Message from the House

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives,  
Austin, Texas, June 2, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 838, A bill to be entitled "An Act to amend Article 909 of the Penal Code, as amended by Chapter 26, Acts, 1933, Forty-third Legislature, and declaring an emergency."

H. B. No. 1099, A bill to be entitled "An Act validating and approving all proceedings had by cities and towns in amending their corporate charters so as to eliminate any requirements

in said charter that any portion of the annual ad valorem tax levied in said city or town shall be provided for or set apart for the use of the public free schools in said city or town, provided this Act shall only apply to cities and towns acting under a home rule charter and which charter sought to be amended provides that a portion of the annual ad valorem taxes levied shall be set apart for the use of the public free schools; and further provides that this Act shall not apply to such cities and towns unless such amendment to the charter was voted during the year 1938 and prior to the voting of said amendment the control of the public free schools in such cities and towns had been separated from the jurisdiction of said cities and towns and such public free schools were being operated under the control and jurisdiction of an independent school district, nor shall this Act be effective as to any city or town which did not during the year 1938 and prior to the voting of said charter amendment hold an election at which a majority of the votes cast authorized the issuance by said city or town of bonds to secure funds for making public improvements nor to any city or town in which the assessed value of property for the purposes of taxation as shown by the tax rolls of said city or town for the year 1938 was less than Six Million, Seven Hundred and Eighty Thousand (\$6,780,000.00) Dollars or more than Six Million, Eight Hundred and Fifty Thousand (\$6,850,000.00) Dollars, and repealing Senate Bill No. 439, Acts of the Regular Session of the Forty-sixth Legislature; and further provided this Act shall not apply to any such proceedings the validity of which has been contested or attacked in any pending suit or litigation, and declaring an emergency."

H. B. No. 1112, A bill to be entitled "An Act to provide that out of taxes remitted by the State of Texas to certain counties such sum shall be used for the purpose of acquiring and improving land for State parks, and declaring an emergency."

H. B. No. 1101, A bill to be entitled "An Act to provide for a joint rural school supervisor in Sabine and San Augustine Counties; providing mode and manner of paying such salaries; providing that the counties within the

provisions of this Act may join in the hiring and paying of such joint rural school supervisor; providing for appointment of joint rural school supervisor in such counties; providing persons making such appointment; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 1105, A bill to be entitled "An Act providing for the construction of a State office building or buildings and for the acquisition of necessary sites therefor; providing for the issuance of bonds of the State of Texas for such purposes; providing for the payment of such bonds and making the necessary appropriations therefor; providing for the investment of the Permanent School Fund in such bonds; declaring the Act to be severable; providing that the Act shall be and become effective upon the effective date of a Constitutional amendment proposed by House Joint Resolution No. 44 to add Section 49-A to Article 3 of the Constitution of Texas, and declaring an emergency."

H. B. No. 1107, A bill to be entitled "An Act validating, confirming, approving and legalizing all bonds heretofore authorized by the necessary vote of the qualified voters of all cities or towns at an election, or elections held during the year 1938; providing this Act shall only apply to cities and towns acting under a home rule charter and which city or town did not at the time of the holding of said election, or elections, own any of the following utilities from which it could derive revenue: water system, sanitary sewer system, electric light system, or natural gas distribution system; repealing Senate Bill No. 438, Acts of the Regular Session of the Forty-sixth Legislature; and provided this Act shall not apply to any such bond the validity of which has been contested or attacked in any pending suit or litigation, and declaring an emergency."

H. B. No. 1108, A bill to be entitled "An Act providing that taxes levied by other entities under and by virtue of Article 3, Section 52, of the Constitution shall never be reckoned in determining the power of any city or town to levy taxes; providing that in the event of conflict between this Act and any provisions of a city charter

or of a special law constituting a charter of a city the provisions of this Act shall prevail, and declaring an emergency."

S. B. No. 418, A bill to be entitled "An Act authorizing the Game, Fish and Oyster Commission to acquire by purchase lands, water rights, easements, right of ways and property of any person in this State; providing for the acquiring of lands, water rights, easements, right of ways and property of any person or corporation by condemnation proceedings; providing the manner and method of such condemnation proceedings; providing for the payment of damages and costs, and declaring an emergency."

H. B. No. 1114, A bill to be entitled "An Act to prohibit the taking of fish in Kimble, Kerr, Edwards, Real, Sutton, Bandera, Mason, Menard, Blanco, Llano, Kendall, or Gillespie Counties with any devise equipped with more than two (2) hooks prohibiting the use of floats except in certain cases, except artificial bait used with a rod and reel and excepting a twenty (20) foot minnow seine for the purpose of taking minnows for bait; providing the size limits and bag limits for fish taken in said counties; providing a closed season from March 1st to June 1st; prohibiting the sale of any fresh water fish in said Counties; providing a penalty for any violation of this Act; repealing all General or Special Laws, in so far as they conflict with this Act; excepting any portion of Medina Lake, Buchanan Lake and Inks Lake from the provisions of this Act, and declaring an emergency."

H. B. No. 1121, A bill to be entitled "An Act creating a special road law for McMullen County, Texas, providing that said County may fund or refund the indebtedness outstanding against its Road and Bridge Fund as of May 15, 1939, setting forth the method of operation; validating the indebtedness proposed to be funded or refunded; providing this Law shall be cumulative of General Laws on the subject of roads and bridges and General Laws on funding or refunding bonds, not in conflict herewith; enacting provisions incident and relating to the subject and purpose of this Act; repealing all laws in conflict; and declaring an emergency."

H. B. No. 1123, A bill to be entitled "An Act creating a more efficient road



law for Red River County, Texas, validating certain time warrants heretofore issued, payable out of the Road and Bridge Fund; authorizing the Commissioners' Court of said County to issue serial coupon bonds of said County in the funding of said time warrants, and to levy all or any part of the Fifteen (15) Cents Special Road and Bridge Maintenance Tax of said county for payment of said bonds; providing that if any part of this Act shall be declared unconstitutional such holding shall not impair or validate any other parts of this Act; providing that this Act shall be cumulative of General Laws; but that in case of conflict this Act shall control; and declaring an emergency."

H. B. No. 1124, A bill to be entitled "An Act creating and establishing Red River County Road District No. 19 in Red River County, Texas, under Article III, Section 52, of the Constitution of the State of Texas, for the purpose of the construction, operation, and maintenance of macadamized, graveled or paved roads or turnpikes, or in aid thereof; etc., and declaring an emergency."

Respectfully submitted,

E. R. LINDLEY,

Chief Clerk, House of Representatives.

#### House Bill 912 Set as Special Order

Senator Small moved that H. B. No. 912 be set as a special order for Monday, June 5, 1939, immediately after conclusion of the morning call on that day or immediately after the final disposition of H. B. No. 688, in case H. B. No. 688 has not already been disposed of when the morning call is concluded on June 5, 1939.

Senator Spears raised a point of order against consideration of the motion, on the ground that its adoption would have the effect of displacing a special order already set, in violation of the Senate rules relating to special orders.

The President overruled the point of order.

Senator Spears raised a further point of order against consideration of the motion, on the ground that it is not definite as to time and is based on a contingency that may or may not occur.

The President overruled the point of order.

Question then recurring on the motion to set the bill as a special order, it prevailed by the following vote:

Yeas—26

Aikin	Moffett
Beck	Moore
Brownlee	Nelson
Burns	Pace
Collie	Roberts
Cotten	Shivers
Graves	Small
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield

Nays—1

Hill

Present—Not Voting

Spears

Absent

Sulak

Absent—Excused

Hardin

Redditt

#### House Bills on First Reading

The following bills, previously received from the House, were laid before the Senate, read severally first time, and referred to the committees indicated:

H. B. No. 838, to Committee on Game and Fish.

H. B. No. 1099, to Committee on State Affairs.

H. B. No. 1112, to Committee on State Affairs.

H. B. No. 1101, to Committee on Education.

H. B. No. 1105, to Committee on State Affairs.

H. B. No. 1107, to Committee on Civil Jurisprudence.

H. B. No. 1108, to Committee on Civil Jurisprudence.

H. B. No. 1114, to Committee on Game and Fish.

H. B. No. 1121, to Committee on Highways and Motor Traffic.

H. B. No. 1123, to Committee on State Affairs.

H. B. No. 1119, to Committee on Towns and City Corporations.

H. B. No. 1124, to Committee on Counties and County Boundaries.

H. B. No. 1039, to Committee on Criminal Jurisprudence.

H. B. No. 1092, to Committee on State Affairs.

H. B. No. 1093, to Committee on Public Health.

H. B. No. 1094, to Committee on Counties and County Boundaries.

H. B. No. 1110, to Committee on Civil Jurisprudence.

H. B. No. 1116, to Committee on Game and Fish.

H. B. No. 1117, to Committee on Game and Fish.

H. B. No. 927, to Committee on Counties and County Boundaries.

H. B. No. 1118, to Committee on Education.

H. B. No. 775, to Committee on Education.

#### House Concurrent Resolution 152

The following resolution, received from the House today, was laid before the Senate:

H. C. R. No. 152, To authorize Floyd Farrell to sue the State.

The resolution was read; and on motion of Senator Burns and by unanimous consent, it was considered immediately.

The resolution was adopted.

#### Reports of Standing Committees

By unanimous consent, the following reports were submitted at this time:

Austin, Texas,  
June 2, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 1123, A bill to be entitled "An Act creating a more efficient road law for Red River County, Texas, validating certain time warrants heretofore issued, payable out of the Road and Bridge Fund; authorizing the Commissioners' Court of said County to issue serial coupon bonds of said County in the funding

of said time warrants, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WEINERT, Chairman.

Austin, Texas,  
June 2, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 1124, A bill to be entitled "An Act creating and establishing Red River Road District No. 19 in Red River County, Texas, under Article III, Section 52, of the Constitution of the State of Texas, for the purpose of the construction, operation and maintenance of macadamized, graveled, or paved roads or turnpikes, or in aid thereof, etc., and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

COTTEN, Vice Chairman.

Austin, Texas,  
June 2, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

H. B. No. 1121, A bill to be entitled "An Act creating a special road law for McMullen County, Texas, providing that said County may fund or refund the indebtedness outstanding against its Road and Bridge Fund as of May 15, 1939, setting forth the method of operation; validating the indebtedness proposed to be funded or refunded; providing this law shall be cumulative of General Laws on the subject of roads and bridges and General Laws on funding or refunding bonds, not in conflict herewith; enacting provisions incident and relating to the subject and purpose of this Act, repealing all laws in conflict; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

BROWNLEE, Chairman.

Austin, Texas,  
June 1, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

H. B. No. 989, by Isaacks, et al., A bill to be entitled "An Act to amend Article 1923 of the Revised Civil Statutes of Texas of 1925, concerning the extension of terms of District Courts, so as to provide for the extension of the term of any trial court of record, and providing the procedure for extension and adjournment; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed with committee amendment.

NELSON, Chairman.

Austin, Texas,  
June 2, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

H. B. No. 1119, by Bradbury, A bill to be entitled "An Act validating refunding bonds authorized by any home rule city whose charter allocates its permitted taxing power to specified purposes, and which refunding bonds were authorized to refund all of the outstanding bonds of such city, and have been approved by the Attorney General, notwithstanding the fact one of more issues of such bonds or the bonds refunded thereby may have been authorized and issued for the purpose of refunding bonds originally payable from such separate tax allocations; validating the proceedings authorizing such refunding bonds and the taxes levied for their payment; providing that such taxes shall not be affected by charter provisions requiring allocation of such taxes to specific purposes; providing this Act shall not be construed as validating any bonds the validity of

which is questioned in litigation pending at the time the Act becomes effective; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HILL, Chairman.

Austin, Texas,  
June 2, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

S. B. No. 487, A bill to be entitled "An Act to validate, ratify, approve, confirm and declare enforceable, all levies and assessments of ad valorem taxes heretofore made by incorporated cities and towns in the State of Texas because the same were made and adopted by resolution, motion or other informal action, and because of the failure of the governing body of such city or town to appoint the proper and statutory Board of Equalization; and which are insufficient and voidable, or unenforceable on account of technical irregularities in the manner of preparing the books and reports of assessors assessing such property; etc., and providing further that this Act shall apply only to those incorporated cities and towns in this State having a population of not less than fifteen hundred forty (1,540) and not more than fifteen hundred fifty (1,550) according to the last preceding Federal Census; providing this Act shall not affect suits pending at the time same becomes effective; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

HILL, Chairman.

Austin, Texas,  
June 2, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

S. B. No. 485, A bill to be entitled

"An Act to validate all ad valorem tax levies and assessments heretofore made by incorporated cities and towns in the State of Texas having a population of not less than 3,450 inhabitants and not more than 3,455 according to the last Federal Census, which levies and assessments are void or unenforceable because of the failure of the governing body of each respective incorporated city and town to make such levy by ordinance and which levies and assessments of property are void or unenforceable because of the failure of the tax assessor and collector of each respective incorporated city and town to make and prepare the proper assessment rolls and reports and which levies and assessments are void or unenforceable because of the failure of such tax assessor and collector to make and prepare current tax rolls as required by the Statutes of this State; providing this Act shall not validate any levies and assessments for ad valorem taxes where the validity of such levy and assessment has been contested in any pending suit; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

COTTEN, Vice Chairman.

Austin, Texas,  
June 1, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

S. B. No. 484, A bill to be entitled "An Act creating a Special Road Law for McMullen County, Texas, providing that said county may fund or refund the indebtedness outstanding against its Road and Bridge Fund as of May 15, 1939, setting forth the method of operation; validating the indebtedness proposed to be funded or refunded; providing this law shall be cumulative of General Laws on the subject of roads and bridges and General Laws on funding or refunding bonds, not in conflict herewith; enacting provisions incident and relating to the subject and purpose of this Act; repealing all laws in conflict, and declaring an emergency,"

Have had the same under consider-

ation, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

BROWNLEE, Chairman.

#### House Concurrent Resolution 146

Senator Stone of Washington moved that the regular order of business be suspended and that H. C. R. No. 146 be taken up for further consideration at this time.

Senator Pace moved that the regular order of business be suspended and that H. B. No. 688 be laid before the Senate on its passage to third reading.

The President held the motion not in order at this time.

Question recurring on the motion of Senator Stone of Washington, it prevailed by the following vote:

#### Yeas—21

Brownlee	Shivers
Collie	Small
Graves	Spears
Head	Stone
Kelley	of Galveston
Lanning	Stone
Martin	of Washington
Metcalf	Sulak
Moffett	Van Zandt
Moore	Weinert
Nelson	Winfield
Roberts	

#### Nays—7

Aikin	Hill
Beck	Isbell
Burns	Pace
Cotten	

#### Absent

Lemens

#### Absent—Excused

Hardin

Redditt

The President laid before the Senate for further consideration at this time:

H. C. R. No. 146, Authorizing certain corrections in H. B. No. 9.

Senator Lanning offered the following amendment to the resolution:

Amend H. C. R. No. 146 by striking out all of Section "3" after the word "persons".

**Question—**Shall the amendment be adopted?

Senator Hill raised a point of order against further consideration of the resolution, on the ground that it purposes to amend a bill by a method prohibited by the Constitution.

The President overruled the point of order.

Question recurring on the amendment by Senator Lanning, it was adopted.

Senator Shivers offered the following amendment to the resolution:

Amend H. C. R. No. 146, Section 3, by adding at the end of said section the following words:

"At the end of line 28, page 1, of House Bill 9, add a comma after the word "survey", and then add the following:

'Except that whenever the owner of the tract of land adjoining the alleged vacant area makes application to buy the same, and no prior application to purchase or lease alleged vacant area is on file, then such owner of said adjoining tract of land, who otherwise qualifies as a good faith claimant, shall be considered a good faith claimant without regard to the length of time he may have owned said adjoining land, or had such alleged vacant tract inclosed, or under definite recognized boundaries and in possession with the belief that the vacant area was included within his survey'."

**Question—**Shall the amendment be adopted?

(President Pro Tempore Moore in the Chair.)

#### **Presentations to Lieutenant Governor Stevenson and Mrs. Stevenson**

Senator Lanning, having been recognized by the President Pro Tempore for that purpose, presented to Lieutenant Governor Coke R. Stevenson, on behalf of the Members of the Senate, a Gladstone bag and a leather traveling case.

Senator Roberts, having been recognized by the President Pro Tempore, was granted permission to yield the floor to Mr. Ben Smith, Assistant Calendar Clerk.

Mr. Smith presented to Mrs. Coke R. Stevenson, on behalf of the employees of the Senate, a leather traveling case and wardrobe case.

Senator Metcalfe presented a bridle to Lieutenant Governor Stevenson on behalf of the porters of the Senate.

Mrs. Stevenson expressed her appreciation for the gifts presented to her by the employees of the Senate.

Lieutenant Governor Stevenson thanked the donors for the gifts presented to him.

(President in the Chair.)

#### **House Bill 1119 on Second Reading**

Senator Collie moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1119 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalfe	Winfield
Moffett	

Absent—Excused

Hardin                      Redditt

On motion of Senator Collie and by unanimous consent, Senate Rule 48 was suspended, and the regular order of business was suspended to permit consideration of H. B. No. 1119 at this time.

The President laid the bill before the Senate on its second reading and passage to third reading.

The bill was read second time and was passed to third reading.

**House Bill 1119 on Third Reading**

The President then laid H. B. No. 1119 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

Absent—Excused

Hardin                      Redditt

**House Bill 600 on Second Reading**

On motion of Senator Beck and by unanimous consent, the regular order of business was suspended, to permit consideration of H. B. No. 600 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 600, A bill to be entitled "An Act to amend Subsection 5 of Article 199, Revised Civil Statutes as amended by Chapter 143, Acts, 1937, Forty-fifth Legislature."

The bill was read second time and was passed to third reading.

**House Bill 600 on Third Reading**

Senator Beck moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 600 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Brownlee
Beck	Burns

Collie	Pace
Cotten	Roberts
Graves	Shivers
Head	Small
Hill	Spears
Isbell	Stone
Kelley	of Galveston
Lanning	Stone
Lemens	of Washington
Martin	Sulak
Metcalf	Van Zandt
Moffett	Weinert
Moore	Winfield
Nelson	

Absent—Excused

Hardin                      Redditt

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

Absent—Excused

Hardin                      Redditt

**House Bill 1000 on Second Reading**

On motion of Senator Winfield and by unanimous consent, the regular order of business was suspended, to permit consideration of H. B. No. 1000 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1000, A bill to be entitled "An Act applicable to the Counties of Mason, Menard, Kerr, Schleicher, Crockett, Sutton, Kimble, Real, Edwards, Blanco, Llano, Kendall, Gillespie, El Paso, Hudspeth, Culberson, Val Verde, Kinney, Maverick, Terrell, and Brewster, State of Texas; requiring a Resident Hunting License of any

resident citizen of this State hunting in said Counties, with certain exemptions; requiring a Resident Fishing License of any resident citizen of this State fishing in said Counties, with certain exemptions; providing that no such fishing license shall be necessary in salt water; providing for the remittance to the Game, Fish and Oyster Commission of all funds collected under the provisions of this Act and providing for the disposition of same; providing suitable penalties for violation of any provision of this Act; repealing all laws, in so far as they conflict with any provision of this Act; providing the rule of construction, and declaring an emergency."

The bill was read second time.

Senator Winfield offered the following amendments to the bill:

(1)

Amend H. B. No. 1000 by striking from the provisions of the bill "Maverick County, Texas," wherever the same appears in the bill and by amending the caption accordingly.

(2)

Amend H. B. No. 1000 by including the County of Medina.

(3)

Amend H. B. No. 1000 by adding two new sections thereto between Sections 5 and 6 thereof, to be known as Sections 5a and 5b, to read as follows:

"Section 5a: No person shall be allowed to kill or take in any of the above named counties, more than two (2) wild turkey gobblers during the open season, as provided by law, of any year, and each gobbler killed by any one person, above the limit herein prescribed, shall be a separate offense.

"Section 5b: Any person violating any provision of Section 5a of this Act shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not less than Ten (\$10.00), nor more than Fifty (\$50.00) Dollars, and shall automatically forfeit any license issued to him under the provisions of this Act for a period of one year following the date of final conviction." and by amending the caption accordingly.

The amendments were adopted severally.

Senator Spears offered the following amendments to the bill:

(1)

Amend H. B. No. 1000, Section 1, by adding after the word "Terrell" the word "Bexar."

(2)

Amend H. B. No. 1000 by adding in the caption after the word "Terrell" the following: "Bexar."

The amendments were adopted severally.

The bill then was passed to third reading.

#### House Bill 1000 on Third Reading

Senator Winfield moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1000 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—29

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalfe	Winfield
Moffett	

#### Absent—Excused

Hardin	Redditt
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—23

Aikin	Kelley
Cotten	Lanning
Graves	Lemens
Head	Martin
Isbell	Metcalfe

Moffett	Stone
Moore	of Galveston
Nelson	Stone
Pace	of Washington
Roberts	Van Zandt
Shivers	Weinert
Small	Winfield
Spears	

## Nays—6

Beck	Collie
Brownlee	Hill
Burns	Sulak

## Absent—Excused

Hardin	Redditt
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## Bills and Resolutions Signed

The President signed, in the presence of the Senate, after their captions had been read, the following enrolled bills and resolutions:

S. B. No. 482, "An Act validating and approving all proceedings had by the Board of Directors of any Water Control and Improvement District situated wholly within one county and containing not exceeding three thousand five hundred (3,500) acres of land, and created for the purpose of the construction of improvements for a water purification and distribution system, together with a sanitary sewer system, under authority of Section 3, of Chapter 25, Acts of the Thirty-ninth Legislature, Regular Session, as amended by Section 1, of Chapter 107, Acts of the Fortieth Legislature, First Called Session, and as further amended by Section 2, Chapter 280, Acts of the Forty-first Legislature, Regular Session, and Section 3a, of Chapter 25, Acts Thirty-ninth Legislature, Regular Session, as added by Section 17a, of Chapter 280, Acts of the Forty-first Legislature, Regular Session, in the issuance and sale of water and sewer construction bonds on the faith and credit of any such districts, for which a loan has been made by the United States, through the Reconstruction Finance Corporation, or other agency or department of the Government of the United States; validating such bonds and the tax levies made for the payment of such bonds; providing the provisions hereof shall not apply to any such proceedings or bonds issued thereunder, the validity of which has been contested in any pending suit or litigation; enacting provisions incident and relating to the subject and purpose

of this Act; and declaring an emergency."

H. B. No. 563, "An Act to prohibit the sale of cattle infected, or known to be infected, with Bang's disease, for milk purposes, by any person; prescribing a penalty, and declaring an emergency."

H. B. No. 626, "An Act to amend Section 6 of House Bill No. 303, Chapter 245, page 856 of the Acts of the Regular Session of the Forty-third Legislature as amended by House Bill No. 373, Chapter 264, page 651 of the Acts of the Forty-fourth Legislature as amended by House Bill No. 893, Chapter 257 of the Acts of the Regular Session of the Forty-fifth Legislature; providing for additional time for organization under such Act prescribing the time of organization and repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

S. B. No. 302, "An Act to amend the law relating to juveniles, Title 82, Revised Civil Statutes, 1925, by adding thereto another paragraph or section to be known as Article 5139B, providing that the judges of the several district courts and criminal district courts, the judges of the county courts at law, and the county judge, in any county of this State having a population of not less than 290,000 nor more than 320,000 according to the last preceding Federal Census, or any county which may hereafter have such population, shall constitute a juvenile board for such county; providing for the compensation, and the payment thereof, of the judges of the county courts at law and the county judge, as members of such board, and prescribing their powers and duties; providing that the salaries of the judges of the several district courts and criminal district courts, as members of such board, shall remain as provided by law; providing that all laws and parts of laws in conflict with this Act are repealed; and declaring an emergency."

S. B. No. 401, "An Act amending Article 625 of the Code of Criminal Procedure of the Revised Statutes of 1925, [relating to pay of veniremen]."

S. B. No. 448, "An Act directing the Texas State Parks Board to execute quit-claim deeds to lands situ-



ated in the Big Bend Park in Brewster County which were sold for taxes and acquired by the State for park purposes under the terms of Chapter 100, Acts of the First Called Session of the Forty-third Legislature, to the original owners in cases where the taxes were not actually delinquent, and where tax receipts or tax certificates can be produced showing payment of such taxes; and declaring an emergency."

S. B. No. 479, "An Act to amend Section 1, Chapter 494, of the Acts of the Regular Session of the Forty-fifth Legislature; adding the County of San Saba to the list of counties affected by said Act; repealing all laws in conflict herewith and declaring an emergency."

S. B. No. 480, "An Act, making it unlawful to transport minnows from Walker County for the purpose of sale, or to transport more than two hundred minnows from Walker County, or to have in any vehicle more than two hundred minnows in Walker County; providing a penalty; repealing all conflicting laws, and declaring an emergency."

S. B. No. 446, "An Act repealing House Bill No. 558 passed by the Forty-sixth Legislature of the State of Texas and making an emergency appropriation out of the General Revenue of the State of Texas for the Secretary of State, for the purpose of compiling, editing, indexing, binding and distributing the current laws; making same immediately available; and declaring an emergency."

S. B. No. 192, "An Act authorizing Commissioners' Courts to acquire by purchase or by condemnation any new or wider right of way or land not exceeding one hundred (100) feet in width for stream bed diversion and drainage channels in connection with the locating, relocating, construction, reconstruction or maintenance of any public road; and to acquire by purchase or by condemnation land or lands for obtaining earth, stone, gravel or other material necessary or convenient to the construction, reconstruction, maintenance, widening, straightening, or lengthening of any public road and to pay for the same out of the County Road and Bridge Fund or out of any available county

funds; repealing all laws in conflict herewith; and declaring an emergency."

S. B. No. 297, "An Act regulating the execution by teachers and school employees, of assignments of salaries or wages, or any interest therein, as security for indebtedness, defining teachers and school employees, within the terms of this Act, and providing that all assignments of salary or wages or any part thereof or interest therein not executed in accordance with the provisions of this Act shall be invalid and unenforceable."

S. C. R. No. 46, Authorizing W. G. Farrier to sue the State.

S. C. R. No. 54, Authorizing J. W. Millard to sue the State.

S. C. R. No. 55, In appreciation of services of Dr. Harry F. Estill.

#### House Concurrent Resolution 146

The Senate resumed consideration of pending business, same being H. C. R. No. 146, to make certain corrections in H. B. No. 9, with amendment by Senator Shivers pending.

Senator Burns raised a point of order against further consideration of the resolution at this time, on the ground that it has not been printed as required by rule 31a.

The President overruled the point of order.

Senator Burns raised a point of order against further consideration of the resolution, on the ground it provides for amendment by a majority vote of the Senate of a bill that has already been passed to third reading.

The President overruled the point of order.

Question recurred — Shall the amendment by Senator Shivers be adopted?

#### Recess

Senator Nelson moved that the Senate recess to 10:00 o'clock a. m., Monday, June 5, 1939.

Yeas and nays were demanded, and the motion prevailed by the following vote:

## Yeas—16

Brownlee	Shivers
Graves	Small
Head	Spears
Kelley	Stone
Lanning	of Galveston
Lemens	Stone
Martin	of Washington
Metcalf	Weinert
Nelson	Winfield

## Nays—11

Aikin	Moffett
Beck	Moore
Burns	Pace
Cotten	Sulak
Hill	Van Zandt
Isbell	

## Absent

Collie	Roberts
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## Absent—Excused

Hardin	Redditt
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Accordingly, at 12:15 o'clock p. m., the Senate took recess until 10:00 o'clock a. m., Monday, June 5, 1939.

## APPENDIX

## Reports of Committee on Enrolled Bills

Austin, Texas,  
June 1, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 482 carefully examined, compared, and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,  
June 1, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 401 carefully examined, compared, and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,  
June 1, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 302 carefully examined, compared, and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,  
June 1, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 54 carefully examined, compared, and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,  
June 1, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 55 carefully examined, compared, and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,  
June 1, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 46 carefully examined, compared, and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,  
June 1, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 297 carefully examined, compared, and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,  
June 1, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on En-

rolled Bills, have had S. B. No. 448 carefully examined, compared, and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,  
June 1, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 192 carefully examined, compared, and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,  
June 1, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 446 carefully examined, compared, and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,  
June 1, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 479 carefully examined, compared, and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,  
June 1, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 480 carefully examined, compared, and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

## EIGHTIETH DAY

(Continued)

(Monday, June 5, 1939)

The Senate met at 10:00 o'clock a. m. and was called to order by the President.

## Message from the House

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives,  
Austin, Texas, June 5, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has granted the request of the Senate for the appointment of a Conference Committee to consider the differences between the two Houses on S. B. No. 240. The following are conferees on the part of the House: Boyd, Cockrell, Allen, Petsch, Thornberry.

Respectfully submitted,

E. R. LINDLEY,  
Chief Clerk, House of Representatives.

## House Concurrent Resolution 146

The Senate resumed consideration of pending business, same being H. C. R. No. 146, authorizing certain corrections to be made in H. B. No. 9, with the following amendment by Senator Shivers pending:

Amend H. C. R. No. 146, Section 3, by adding at the end of said section the following words:

"At the end of line 28, page 1, of House Bill 9, add a comma after the word 'survey', and then add the following:

'Except that whenever the owner of the tract of land adjoining the alleged vacant area makes application to buy the same, and no prior application to purchase or lease alleged vacant area is on file, then such owner of said adjoining tract of land, who otherwise qualifies as a good faith claimant, shall be considered a good faith claimant without regard to the length of time he may have owned said adjoining land, or had such alleged vacant tract inclosed, or under definite recognized boundaries and in possession with the belief that the vacant area was included within his survey'."

Question—Shall the amendment be adopted?

Senator Weinert moved the previous question on the amendment and the adoption of the resolution, and the motion was duly seconded.